

Worksession

Agenda Item #	6
Meeting Date	March 5, 2007
Prepared By	Suzanne Ludlow, Community & Government Liaison
Approved By	Barbara B. Matthews, City Manager

Discussion Item	Legislative Report
Background	<p>The State Legislative Session is moving quickly. In the past several weeks, staff has submitted testimony on enabling legislation related to certain municipal taxes, on the purchase of street lighting, and on affordable housing programs; on condominium conversion; on electric energy aggregation; on removing mercury switches from vehicles; on the repeal of the death penalty; and on the Valid Marriages bill. Most legislation requires a vote in both the House and the Senate, so some of these bills also have hearings in the coming week. HB 5 and HB 676, the House electric energy aggregation bills, will be heard on Tuesday, March 13 at 1 pm.</p> <p>On Saturday, March 10, presentations on the bond bill requests will be made. The \$3 million bond bill request for the Community Center will be heard at 12 noon before the House Appropriations Committee and at 1 pm before the Senate Budget and Taxation Committee. Although the City only has 2 minutes to make each presentation, it is important to have key people present so that the Committees take the presentations seriously.</p> <p>Council direction on the following issues is requested:</p> <ul style="list-style-type: none"> - The Maryland Affordable Housing Investment Fund appears to be a very good program and structure, but would add 2 cents on the State property tax. The House has had its hearing, but the Senate hearing is March 6. Should the City support the bill? - Does the City Council wish to weigh in on the proposal to increase the 10% Homestead Property Tax Assessment Cap to 15%? This would also allow counties and municipalities to go up to the 15% cap if they so choose. - Does the City wish staff to inform people about HB 1148, the prohibition of rent control bill? Does the City have a position on this bill? The sponsor says an amendment will be offered to exempt municipalities that currently have rent control.
Policy	The City Council works to obtain legislation in the interests of the City of Takoma Park.
Fiscal Impact	Can be substantial, either positively or negatively, depending on the proposed legislation.
Attachments	Legislative Status Report of March 2, 2007
Recommendation	Receive information; provide direction.

Special Consideration	
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LEGISLATIVE STATUS REPORT
As of March 2, 2007

BILL NUMBER	TITLE	DESCRIPTION	CITY POSITION	HEARING DATE (Time is 1 pm unless otherwise indicated)
Impact on Municipal Finances				
SB 521 HB 414	Admissions and Amusement Tax - Food and Beverages	Would allow a municipality to impose this tax on food and beverage sales at a location that is eligible for this tax.	Support as enabling legislation.	SB 521: March 7 HB 414: hearing held
HB 716	Local Property Tax - Credit for Individuals at Least 65 Years Old	Would allow a county or municipality to provide a tax credit for people 65+ years old.	Support as enabling legislation.	HB 716: hearing held
SB 589 HB 900	First Responders Fund	Establishes fund for grants to counties and municipalities to pay for equipment and personnel for fire, rescue, and emergency medical services entities and local law enforcement agencies.	Support as municipal funding source.	SB 589: March 8 HB 900: March 6
SB 591 HB 523	Municipal Corporations - Building Excise Tax	Authorizes municipalities to impose a building excise tax on all types of building construction. Such tax is prohibited if there is an impact fee.	Support as enabling legislation.	SB 591: March 7 HB 523: hearing held

SB 423 HB 875	Local Government - Street Lighting Equipment	Authorizes a local government to purchase street lighting equipment from an electric company.	Support.	SB 423: hearing held HB 875: Feb. 27
SB 130 HB 611	Public Safety - State Aid for Police Protection Fund - Municipal Sworn Officer Allocation	Increases payment to municipality to \$2400 per officer and allows for annual inflation adjustment	Support.	SB 130: hearing held HB 611: March 19
Takoma Park Community Learning Center				
SB 250 HB 301	Creation of a State Debt - Montgomery County - Takoma Park Community Learning Center	\$3 million bond bill (requiring equal match) for Community Center	Support.	SB 250: March 10 1 pm HB 301: March 10 12 n
Housing				
SB 644 HB 486	Maryland Affordable Housing Investment Fund	Establishes a fund for affordable housing initiatives; is supported by a 2 cent property tax increase; allows counties and certain municipalities to use the funds for certain housing programs	Dist 20 reps have requested our amendment to remove requirement that only municipalities with a population of 35,000 or more may apply to use the funds. Key House sponsor agreeable, but says bill not likely to survive due to provision raising taxes.	SB 644: March 6 HB 486: hearing held

SB 710 HB 784	Affordable Housing - Enabling Authority for Counties and Municipalities	Authorizes counties and municipalities to take specified actions to support, foster, or promote an affordable housing program for persons of low or moderate income.	Support as enabling legislation.	SB 710: March 6 HB 784: hearing held
SB 641 HB 96	Condominiums - Conversion of Rental Facilities - Extended Leases - Property Tax Credit	Authorizes five year (rather than three year) extended leases for “designated” households and allow counties and municipalities to provide a tax credit to the owner for extended leases	Support.	SB 641: hearing held HB 96: hearing held
SB 635 HB 95	Condominiums - Conversion of Rental Facilities - Notice Requirements	Ensures that residents have a full 180 day period to consider the purchase price of the unit when notified that a building is being converted to condominiums.	Support	SB 635: hearing held HB 95: hearing held
HB 1148	Rent Control - Local Government Preemption	States that a local government may not enact, maintain, or enforce a law, ordinance or regulation that controls rent on private residential or commercial property.	Oppose due to curtailment of enabling rights. (Sponsor plans to offer amendment to exempt current rent control programs.)	No hearing date set.

Environment				
SB 34 HB 5 HB 676	Electric Industry - Local Aggregation	Allow municipalities to operate as aggregators of electricity on behalf of their residents. Note: HB5 is a very simple version of the bill. SB 34 and HB 676 are companion bills.	Support.	SB 34 - hearing held HB 5: March 13 HB 676: March 13
SB 366 HB 418	Mercury Switch Removal from Vehicles	Requires motor vehicle manufacturers to develop a mercury minimization plan and requires them to pay the costs of removing mercury switches.	Support.	SB 366: hearing held HB 418: hearing held
HB 47	Motor Fuel Tax - Exemption for Biodiesel Fuel - Government Vehicles	Allows a reduction in State tax on the purchase of biodiesel fuel for use in government vehicles.	Support. (Note: all our large public works vehicles use biodiesel fuel.)	HB 47: hearing held
Eminent Domain				
HB 257	Property Protection Act of 2007	Constitutional Amendment to prohibit acquiring private property via condemnation to carry out projects for urban renewal, comm. revitalization, attracting or retaining businesses, job creation, or generating tax revenue.	Oppose.	HB 257: hearing held

HB 842	Real Property - Eminent Domain - Limitations on Condemnation Authority	Constitutional Amendment similar to HB 257, but clearly allowing the taking of private property to prevent an emergency.	Oppose.	HB 842: March 8
Death Penalty				
SB 211 HB 225	Criminal Law - Death Penalty - Repeal	Repeals use of death penalty in Maryland.	Support.	SB 211: hearing held HB 225: hearing held
Marriage Law				
SB 564	Valid Marriages	Constitution Amendment that states that only a marriage between a man and a woman is a valid marriage in Maryland.	Oppose.	SB 564: hearing held